

## REMARKS

Claims 33-44 are in the application, with Claims 1-32 having been cancelled, and with Claims 33-44 having been added. Claims 33, 37 and 41 are the independent claims herein. No new matter has been added. Reconsideration and further examination are respectfully requested.

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It is believed that the new set of claims, now presented for examination, obviates the pending claim objections and rejections.

Each of the independent claims recites the following two limitations (among others in some cases): (a) determining that a customer has a zero balance in a first account, and (b) in response to that determination, sending marketing materials to the customer to solicit the customer to open a second account. Support for the former limitation is found, for example, in paragraphs 34 and 61 of the present application, as published. Support for the latter limitation is found, for example, in paragraph 178 of the present application as published and in claim 5, as originally filed herein.

Dependent claims further limit the independent claims by specifying that the first account is a loan account. Support for this limitation is found, for example, at paragraph 26 of the application as published. Other dependent claims recite the further limitations that the second account is a loan account or a credit card account. Support for these limitations is found, for example, at paragraph 178 of the present application as published.

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In view of the support in the specification, as set forth above, for the claims now presented, it is not believed that any rejection under § 112, first paragraph, would be applicable.

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It is believed that the claims now presented clearly recite patentable subject matter within the purview of § 101.

The claimed invention is useful at least in that it allows a financial institution to seek improved profitability. The claimed invention is tangible at least in that it results in physical objects being sent to a customer. The claimed invention is concrete in that it is clearly

repeatable. Accordingly, no rejection under § 101 would be in order with respect to the claims now presented.

\* \* \* \* \*

Applicant also submits that the invention as now claimed is patentable over the references cited by the Examiner. The Friedland article, which was the main reference applied to the now canceled claims, is in its most relevant portion concerned with attempting to retain credit card accounts (i.e., preventing them from being closed by the customer). Nothing in the Friedland article teaches or suggests soliciting a customer to open a second account upon determining that the customer has a zero balance in a first account. The other references cited by the Examiner do not provide any teachings that are particularly pertinent to the invention as now claimed.

## **C O N C L U S I O N**

Accordingly, Applicant respectfully requests allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-3460.

Respectfully submitted,

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Date

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